

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VINCENT PAYNE :  
VICTORIA PAYNE :  
v. :  
CITY OF PHILADELPHIA, ET AL. :  
: CIVIL ACTION NO. 14-6508  
:

**ORDER**

This 25th day of June, 2015, it is ORDERED that Defendants' Second Motion to Dismiss for Failure to State a Claim is **DENIED**.

/s/ Gerald Austin McHugh  
United States District Court Judge